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10/595,341	04/11/2006	Markus Gimbel	21334-1567	7869
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EXAMINER				
LE, THANH TAM T				
ART UNIT		PAPER NUMBER		
2839				
NOTIFICATION DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/595,341

Applicant(s)

GIMBEL ET AL.

Examiner

Thanh-Tam T. Le

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-27 is/are pending in the application.
- 4a) Of the above claim(s) 6-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5, 13-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3 and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Szudarek (4,071,289).

Regarding claim 1, Szudarek, figures 1 and 2 show a foil holder (46 and 48, figure 2) for fixing an electrical connector (22) to a foil cable (40) comprising at least one conductive line (44a), the foil holder being configured such that a contact housing (28), which comprises at least one contact element (30) for electrically contacting the at least one conductive line, may be assembled on the foil holder such that the contact element is at least partially received through at least one aperture (60) passing through an upper half-shell (48) of the foil holder to allow the contact element to abut the at least one conductive line in a contact region (column 3, lines 36-41).

Regarding claim 3, figure 2 shows the foil holder further comprising a lower half-shell (46) associated with the upper half-shell; wherein the foil cable is at least partially received between the upper half-shell and the lower half-shell.

Regarding claims 13 and 14, the features in the method claims are identical to those in the apparatus claims; therefore, the method for assembling an electrical component on a foil cable alone is not a patentable feature.

3. Claims 1 and 21-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Proietto (4,209,219).

Regarding claim 1, Proietto, figures 1, 3 and 5 show a foil holder (14 and 16, figure 1) for fixing an electrical connector (12) to a foil cable (88) comprising at least one conductive line (90), the foil holder being configured such that a contact housing (20), which comprises at least one contact element (32) for electrically contacting the at least one conductive line, may be assembled on the foil holder such that the contact element is at least partially received through at least one aperture (52) passing through an upper half-shell (14, figure 5) of the foil holder to allow the contact element to abut the at least one conductive line in a contact region.

Regarding claim 21, figure 1 and 5 show the foil holder further comprising a lower half-shell (16) associated with the upper half-shell; and a first recess (80) formed in a first side of the lower half-shell for receiving a first projection (24) of an electrical connector (12).

Regarding claim 22, a second recess (82) formed in a second side of the lower half-shell that is opposite the first side for receiving a second projection (26) of the electrical connector.

Regarding claim 23, the second recess is located substantially opposite the first recess.

4. Claims 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Marzili (4,668,039).

Regarding claim 17, Marzili, figures 1 and 3 show a foil holder (32 and 50) for fixing an electrical connector (10) to a foil cable (2) having at least one conductive line (3), the foil holder comprising:

two half-shells (32 and 50), between which the foil cable may be at least partially received;

at least one aperture (54) passing through one of the two half-shells, through which the at least one conductive line may be contacted by at least one contact element (5); and

assembly recesses (45) in sides of the remaining of the two half-shells for receiving, in a pre-assembled position, respective projections of a retaining clip (23) formed on a contact housing of the electrical connector (column 3, lines 3-8), the contact housing being movable from the pre-assembled position into a final, assembled position, in a direction parallel to a plane defined by the foil cable.

Regarding claim 18, the contact housing assembled on the foil holder such that the at least one contact element abuts the at least one conductive line in a contact region.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-5 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Szudarek in view of Fujita et al. (5,252,091).

Regarding claim 4, Szudarek discloses the claimed invention as described above except for the upper half-shell and the lower half-shell are connected by a hinge connection.

Fujita et al., figure 19 shows an upper half-shell (20) and a lower half-shell (21) are connected by a hinge connection (38). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Szudarek to have the hinge connection, as taught by Fujita et al., in order to have more easier to open and close the upper and lower shells.

Regarding claim 5, the combination of Szudarek and Fujita et al. disclose the hinge connection comprising an axis of rotation that extends in the direction of the longitudinal axis of the foil cable (since the cable foil received in the upper and lower shells shown in Szudarek extending in the longitudinal axis).

Regarding claims 15 and 16, the features in the method claims are identical to those in the apparatus claims; therefore, the method for assembling an electrical component on a foil cable alone is not a patentable feature.

7. Claims 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proietto ('219) in view of Baier et al. (6,837,737).

Regarding claim 24, Proietto discloses the claimed invention as described above except for a third recess formed in the lower half-shell adapted to receive a third projection of the electrical connector.

Baier et al., figures 1 and 6-7 show a bus connector having a connector base (14) that read on a lower half-shell having a third recess (136) adapted to receive a third projection (44) of a cap (12). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Proietto's lower-half shell and the electrical connector to have the structure of the base and the cap, as taught by Baier et al., in order to have more stronger guiding between the cable holder and the connector.

Regarding claim 25, it is noted that Baier et al., figure 1, 4 and 7 show a fourth assembly recess (another 136) formed in the second side and offset from the second assembly recess along the length of the second side (figure 4), the fourth assembly recess adapted to receive a fourth projection (48) of the electrical connector.

Regarding claim 26, the second assembly recess is located substantially opposite the first assembly recess.

Regarding claim 27, the fourth assembly recess is located substantially opposite the third assembly recess.

8. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marzili ('039) in view of Hudson, Jr. et al. (4,068,912).

Regarding claim 19, Marzili discloses the claimed invention as described above except for a hinge connection between the two half-shells.

Hudson, Jr. et al., figure 1 shows a cable clamp (14) having a hinge (28) connection between the two half-shells (24 and 26). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Marzili to have the hinge, as taught by Hudson, Jr. et al., in order to have more easier to open and close between the shells.

Regarding claim 20, it is noted that Hudson, Jr. et al. disclose the hinge connection has an axis of rotation that extends in the direction of the longitudinal axis of the foil cable.

Response to Arguments

9. Applicant's arguments with respect to claims 1, 13 and 17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Tam T. Le whose telephone number is 571-272-2094. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on 571-272-2098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thanh-Tam T. Le/
Primary Examiner, Art Unit 2839.
2/18/08.